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C O N F I D E N T I A L BAGHDAD 000534

SIPDIS

DEPARTMENT FOR NEA/I

E.O. 12958: DECL: 02/28/2020  
TAGS: [PGOV](#) [KDEM](#) [KJUS](#) [IZ](#)  
SUBJECT: PRT ANBAR: TENSION BETWEEN ANBAR POLICE AND  
JUDICIARY AS ELECTIONS NEAR

Classified By: PRT Leader Paul Fitzgerald for reasons 1.4(b) and (d).

11. (U) This is a PRT Anbar cable.

12. (C) SUMMARY: Tension between the Iraqi Police and the judiciary was on display at the weekly Anbar Operations Command meeting covering security issues. Similar feelings were present at PRToffs meeting with Provincial Chief Judge Mohammed Al-Kubaisi. END SUMMARY.

13. (C) On February 22, PRToff attended the Anbar Operations Command (AOC) weekly security meeting at the Blue Diamond Iraqi Army facility. Staff Major General (SMG) Aziz, appearing vigorous and healthy, chaired the meeting for the first time since his medical treatment in Turkey. Provincial Chief of Police (PCOP) SMG Baha Al-Karkhi, Deputy Governor Hikmat Jasim Zaidan and Investigative Judge (IJ) Ghanim Al-Azawi were also present.

14. (C) The initial interchange at the meeting was characterized by the usual Iraqi Police (IP) complaints of judicial shortcomings and focused on the IP,s inability to find an investigative judge over the weekend to approve warrants. Investigative Judge Ghanim responded that an IJ was always available and that police should "just knock on my door." He explained that CPA Administrator Paul Bremer had issued an order years earlier requiring a lawyer to be present at the initial appearance of a suspect and said the absence of a lawyer was the real impediment to prosecuting cases. SMG Aziz countered that this law was enacted a long time ago and that terrorist suspects should be treated differently from other criminals since theirs was a special crime against society. He asked that the laws be changed in order to allow detention of terror suspects without a warrant via a streamlined process. IJ Ghanim responded that the existing judicial process was sound and provided a good example of the rule of law to the citizenry.

15. (C) In closing remarks, Deputy Governor Hikmat said the IP would be charged by the Independent High Electoral Commission (IHEC) with guarding election polling centers. Claiming that some IP showed loyalty to certain parties, he continued that two vehicle passes would be issued to each political party during the vehicle ban on election days in order to allow the parties to move voters who are traveling great distances to the polls.

16. (C) Comment: This AOC meeting was another example of the tension between the IP and IJs. Yet the fact that IJ Ghanim attended and was able to respond to IP complaints was a positive development. The Deputy Governor was clearly warning the police command to be alert to the possibility of actual or apparent IP interference in the election process. Through engagements with Provincial Chief Judge Mohammed Al-Kubaisi and his IJ lecture to police investigation seminar students, PRT ROL continues to encourage an ongoing

professional dialogue between the IP and IJs. End Comment.

¶17. (C) On February 24, PRToff met with Provincial Chief Judge (PJC) Mohammed Al-Kubaisi at the Provincial Judicial Center to discuss Rule of Law issues. Al-Kubaisi felt that the recent exclusion of election candidates for Ba'athist ties (including members of parliament) in the absence of any criminal record was "not democracy." Al-Kubaisi said that he nevertheless intended to vote and expected his vote to make a difference if the right candidates won. He felt that Ayad Allawi and his party would be the best for Iraq's future, citing Allawi's secular platform as a means to unify Iraq. When asked about the security for polling stations, he said QWhen asked about the security for polling stations, he said that the Iraqi Army (IA) and not the IP would be the best guarantors of security. He strongly believed that the IP were in the employ of the tribal sheikhs and were not to be trusted. He cautioned, however, that the deployment of U.S. Forces to polling stations would give the appearance of interference in the elections.

¶18. (C) Comment: The PJC's low opinion of the IP tracks with continued antagonism between the judiciary and IP over the perceived failure to stop high profile terrorist attacks, characterized by IP accusations of judicial corruption and judicial claims of IP incompetence. End Comment.  
HILL